

NOTE: These minutes do not constitute a verbatim transcription of the CPC meeting.

**CITY PLANNING COMMISSION
REGULAR MEETING
February 3, 2005**

APPROVED

Call to Order: The meeting was called to order by Chairperson Arthur Simons in the Committee of the Whole Room, 13th Floor of the Coleman A. Young Municipal Center, at 4:45 PM.

Roll Call: Present at the meeting were Commissioners Cason, Christensen, Glaser, Glenn, Jeffrey, Simons, Wendler and Williams. Absent was Commissioner Smith (excused).

Agenda: The Agenda was approved as submitted.

Minutes: ACTION: Commissioner Glenn moved to approve the minutes of Regular Meeting of January 6, 2005.
Commission Cason seconded the motion.
Motion carried.

PUBLIC HEARING—
Request of Morgan Development to rezone property in the Area of Freud, Lycaste, Detroit River and St. Jean from M4 to PD to allow for residential:

A public hearing was held on the request of Morgan Development LLC to rezone property in the area of Freud St., Lycaste Ave., the Detroit River and St. Jean from M4 (Intensive Industrial District) to PD (Planned Development District) to allow for residential development, including low rise condominiums, single-family homes and a high rise condominium tower.

CPC staff member Kathryn Underwood reviewed the background information, surrounding zoning and land uses, and described the development.

The project is proposed in three phases and represents a total of investment of approximately \$100 million. Phase One includes the construction of 92 low-rise condominiums near St. Jean consisting of eleven 8-unit buildings and one 4-unit building. Units will range in size from 1,325 square feet to 1,811 square feet. Each unit will have capacity for 2 cars in an attached garage or one car inside and one car outside the garage. Estimated selling prices will be between \$185,000 and \$349,000.

Phase Two includes the construction of 43 single-family homes ranging in size from 2,800 square feet to 5,150 square feet generally with a 3-car garage design. The homes will be bordering Lycaste and extend to the riverfront. Earthen berms and landscaping will enclose the development on the Lycaste side. Entry access will be from St. Jean via a guarded entryway. Estimated selling prices will range from \$385,000 to \$1.5 million.

Phase Three includes the construction of a 23-story condominium tower located on St. Jean bordering both the Detroit River and an existing canal. The tower will consist of 192 units

ranging in size from 1,900 square feet to 3,200 square feet. Selling prices for the units will range from \$345,000 to \$850,000. A three-level parking garage and visitor parking lot for a total of 420 cars will service the tower. Amenities include a swimming pool, health club and concierge desk.

The subject area is the former Laro Coal site. The State of Michigan has performed some remediation at the site. Additional remediation will be necessary and will be handled by the developer. The site is currently owned by the City of Detroit, except one parcel known as the Precision Marine site. The City is in process of finalizing the development agreement with Morgan Development LLC. The developer is in the process of acquiring the Precision Marine property near the southern end of St. Jean.

The developer will also be seeking approval of a Brownfield Plan and Neighborhood Enterprise Zone designation.

The subject area is located in the East Riverside Subsector of the East Sector of the City of Detroit Master Plan of Policies. The future general land use designations are RH (High Density Residential), MP (Major Park), LT IND (Light Industrial), and SRC (Special Residential Commercial). Planning and Development Department (P&DD) is recommending an RL (Low Density Residential) designation for the subject area. The request for an amendment to the Master Plan will likely come before the City Planning Commission in early April following the Master Plan amendment review period as per the Municipal Planning Act.

Commissioner Cason inquired as to the dates for each phase. Dennis Nowak of Morgan Development LLC indicated that groundbreaking for Phase One is anticipated in the summer. Phase Two, consisting of the construction of the models for the single-family homes, would begin in late summer 2005. Phase Three, consisting of the condominium tower, would only proceed if Phases One and Two are successful in establishing a neighborhood, and favorable market conditions, such as interest rates. Morgan Development has a letter of commitment from Republic Bank.

In response to Commissioner Cason, Mr. Nowak stated that there is no public walkway along the Riverfront. Harbor Hill Marina has no public access.

Commissioner Glenn expressed concern about the Phase One design of the entranceway to the garages for the condominium units located on the second level. Ms. Underwood explained the orientation of the garages, pointing out that one garage on either side of the sidewalk leads up to two units.

Commissioner Simons questioned whether the developer needed to seek approval of an NEZ designation. Mr. Nowak responded affirmatively. The NEZ would provide a needed incentive to purchase the homes. Commissioners Wendler, Jeffrey and Cason agreed. Commissioner Wendler noted that the property tax rate for the City of Detroit is the highest in the State. None of the houses could be sold at a property tax rate of 77 mills/thousand. A rough estimate indicates that property taxes would be \$17,000 per year with the NEZ designation, \$35,000 per year without the designation. Commissioner Jeffrey noted that the City wants and needs to bring people into Detroit who can afford to purchase this type of

housing. The City needs to establish this type of tax base. Detroit cannot just be a city of low and moderate income housing. Analysis has shown that income taxes can offset a loss in property taxes. The City needs to provide opportunities and incentives for developers to develop such residential.

CPC staff was requested to determine the cost of property taxes with and without the NEZ designation.

Commissioner Simons expressed concern as to what would happen when the 12-year tax abatement expires.

Ms. Bruhn offered to present CPC staff's survey and study of NEZ areas. The report was prepared to assist City Council in the development of criteria for NEZ designation.

Commissioner Williams inquired as to the ownership of Precision Marine and the Thompson property. Mr. Nowak noted continuing efforts to acquire Precision Marine. The principal owner of the property passed away; stock issues are being mitigated. A search by a title company indicated the absence of easements. The City owns the Thompson property.

In response to Commissioner Williams, Mr. Nowak noted the ability to shift the location of the parking garage for the condos should the developer not be able to acquire Precision Marine.

Commissioner Williams expressed concern regarding the footprint, and floor plans for the single family homes, particularly the size and use of space on the second floor. Mr. Nowak reviewed the site plan, floor plans, and size of the lots for the single-family homes.

Commissioner Cason complimented the developer on the design of the single-family homes.

Commissioner Williams inquired as to whether the developer is building new roads. Mr. Nowak noted the location of the private internal roads within the project. He also noted that St. Jean would be repaved.

In response to Commissioner Glaser, Mr. Nowak responded that Phase One would not be gated.

Chidi Nyeche of P&DD expressed support for the project. Detroit needs this type of luxury housing. The City's tax base cannot be sustained with only low/moderate income housing.

Clarence Lee of P&DD expressed support and noted the City's overall strategy to not return Riverfront properties back into industrial uses. Where opportunities exist, P&DD would like to see the development of housing on the Riverfront.

The following persons spoke at the public hearing.

Bruce Hubbard, (no address provided), expressed opposition. He felt that the project was a mistake. The project is adjacent to the deepest water canal in the City and is being given away at a "steal." Phase Three of the proposed project is a joke. Mr. Hubbard noted that

public access was to be provided at the never developed Porterfield Marina site. Mr. Hubbard alluded to an \$11 million pay out, and State objections to that project.

Steve Hume, 95 St. Jean, Detroit Sail Club, a company selling used boats, and Detroit Boat Works, expressed opposition. Mr. Hume pointed out the location of his properties including 50 feet of land along the Detroit River and easements for loading and unloading boats. He noted ownership of floating docks being rented to 50 people, a tugboat restaurant and a schooner located across Freud. The project area is adjacent to the City's deepest water canal for freighters. Mr. Hume noted that he has the equipment to store boats on his property. He questioned the compatibility of houses adjacent to industrially developed properties. He noted toxic waste and fires at Petro Chemical, and the lack of an exit in the event of a chemical spill.

Mr. Hume noted that he has 50 foot easement for loading and unloading. Mr. Nowak noted that title work showed no easement.

Donnie Crenshaw, 8643 Griggs, inquired as to the effect of the development on access to Edison Boat Club located in back of Conner Creek at 100 Lycaste. The Club uses Lycaste to access the Club. Ms. Underwood noted that the project would not impact access. No improvements are planned for Lycaste.

Lucas Wright, Hackett Brass, 45 St. Jean, expressed opposition. Mr. Wright indicated that Hackett Brass owns property within the project site. He presented pictures depicting the conditions of Hackett Brass' property and questioned the compatibility of a housing project adjacent to industrially developed properties. How is the developer going to be able to hide a 50-foot structure and large pallets? He noted the potential for dangerous conditions pointing out that twenty-five employees had to be given gas masks and evacuated from the area. Mr. Wright emphasized that Hackett Brass does not want to be "squeezed out" of the area. The developer does not have the right to take over Hackett Brass properties. The owner of Precision Marine recently passed away. Precision is not interested in selling its property. The company repairs boat propellers and employs 30 persons utilizing two shifts. The business is active in the summer months. Hackett Brass visits Precision Marine daily to obtain parts and tools.

Mr. Nowak noted that the City verbally told him that it owned the Hackett Brass and Thompson properties. He noted that the site plan for the project could be modified to shield the neighborhood from ongoing industrial activities. As to chemical contamination and accidents, Mr. Nowak assumed that Hackett Brass and the other industrial properties would conform to all EPA rules and environmental standards.

In response to Commissioner Jeffrey, Mr. Nowak noted that there is no plan for public access.

Discussion ensued on the need to determine ownership of the Hackett Brass and Thompson properties.

CPC staff was directed to speak further with Mr. Hubbard regarding his allegations and statements about public access.

Bob Dabrowski, a real estate broker for Cushman and Wakefeld representing the Thompson property, indicated that Thompson is current on its taxes and owns the property. The property is for sale. Citing a recent incident resulting in the downing of a helicopter in the Detroit River, he cited potential interference between the location of the proposed 23-story condominium tower and air flight patterns.

The matter was taken under advisement.

PUBLIC
HRG.—
Request of
Landmark
Healthcare
Facilities
to modify
a PD in
area of
7733 E.
Jefferson;
Rezone
area of
E. Lafay-
ette,
Sheridan,
Congress
and
Field from
R5 to PD
to
allow for
new
medical
office
building
and parking
(St. John
Riverview
Hospital)

A public hearing was held on the request of Landmark Healthcare Facilities to modify the plans for the existing PD (Planned Development District) zoning classification for property located at 7733 E. Jefferson Ave. (St. John Detroit Riverview Hospital) to construct a new medical office building and to rezone property generally bounded by E. Lafayette Ave., vacated Sheridan Ave., Congress St., and the alley first east of Field Ave. from R5 (Medium Density Residential District) to PD (Planned Development District) in order to expand the existing parking area for the Hospital.

CPC staff member Heidi Alcock reviewed the background information, surrounding zoning and land use, and the concerns of the community.

The development calls for the construction of a new three-story, 63,921 square foot medical office building to be attached to the northwest section of the hospital by a connector link, the size being approximately 27 feet 8 inches in height. The three floors of the building, approximately 38 feet in height, will be used for physician office space. A portion of the basement will be used for laboratory outpatient services, and the remainder of the basement will be used for medical records, a library, graduate education, and laboratory support services.

The ground coverage of the medical office building would be 16,874 square feet (.39 acres). The total gross square footage for the building would be 63,921. The gross square footage for the connector link would be 1,400 giving a combined gross square footage of 65,321 for the medical office building and connector link.

The development also calls for the expansion of the existing parking area for the hospital campus (603-725 Sheridan) to provide for 391 new parking spaces to replace the 93 spaces displaced by the proposed medical office building as well as to accommodate the new medical office. Rezoning this property to PD would allow the entire hospital campus to have the same zoning classification.

The exterior design of the proposed medical office building would be complementary to the exterior design of the hospital. The materials include red face brick with some lighter-color accent banding and lighter color renaissance stone at the base, aluminum windows with insulated glazing, metal canopy with glass roof system, and a metal panel mechanical equipment screen wall.

A total of 93 parking spaces would be lost as a result of the construction of the proposed medical office building. However, 391 additional parking spaces would be provided as a

result of the expansion in parking, a net gain of 298 parking spaces. The current and proposed revised Zoning Ordinances require 259 parking spaces for the proposed new use. However, the existing campus is 37 spaces short of what would be required by both the Zoning Ordinance and the proposed revision. Therefore, if the parking lot expansion occurs, two more spaces would be provided for the entire campus than required.

The hospital campus currently has two vehicular access points from E. Jefferson, one at Seyburn and one at Baldwin. Within the campus, Baldwin and Seyburn connect to form an internal ring road encircling the hospital, which provides access to the Riverview Medical Office and associated parking, the hospital building, and all of the surrounding parking lots. The new medical office building and the expanded parking area will be accessed from an internal ring road. The existing internal ring road would be moved slightly to the north of where it is currently located. The entrance to the new medical office building would be located on the north side of the building off of the ring road, where a circular driveway would be incorporated.

New light poles, to match existing light poles, would be added in the expanded parking area and around the entrance to the medical office entrance. The existing fence and screen landscaping along Sheridan would be relocated to the lot line first east of Field.

Ms. Alcock reviewed the history of development of the site, including City Council actions in 1971, 1984, 1987, and 1999.

It was noted that Sheridan between Lafayette and Congress was officially vacated by the City for this project in November 2004.

The Planning and Development Department (P&DD) has concluded that the proposed rezoning is not consistent with the Master Plan of Policies. P&DD has proposed an amendment to change the Future General Land Use from Medium and High Density Residential to Institutional for the proposed expanded parking area. P&DD has also concluded that the construction of the medical office building is consistent with the Master Plan; therefore, an amendment is not required to begin its construction.

Although the hospital campus is adjacent to the West Village historic district, the Historic District Commission has concluded that the development does not require its review.

The CPC office received two written communications from residents on Seyburn raising concerns and questions; a written communication from Messiah Housing Corporation expressing support for the project; a phone call from an adjacent property owner with concerns and questions; a written communication from a resident of Indian Village expressing opposition to the project; and an e-mail from the City's Public Lighting Department regarding an electrical substation located within area proposed for rezoning.

CPC staff attended three community meetings regarding this project. Issues raised by the community at the meetings included concerns that the closure of Sheridan Ave. will restrict vehicular access to and from Jefferson for the surrounding community, especially for the community north of Lafayette; continued concerns about the alley first north of Jefferson between Seyburn and Van Dyke Ave. being improperly used as a cut-through for hospital traffic and the wear and tear resulting from the excessive alley traffic; related concerns about

the lack of vehicular access from Jefferson Ave. to the parking lot behind the old Jennings Hospital and how this contributes to increased traffic on the alley first north of Jefferson between Seyburn and Van Dyke Ave.; concerns about excessive noise from the hospital generator; and concerns from West Village Association representatives about St. John Riverview Hospital not living up to some of the conditions included in the Memorandum of Understanding reached between the two organizations in 1999, specifically as it relates to the development of a pocket park, traffic circulation issues, employee parking on Seyburn and Van Dyke Ave., upkeep of landscaping and green belt, and snow removal.

CPC staff is working with the Department of Public Works to identify and evaluate options to improve traffic circulation, especially in the alley first north of Jefferson Ave. between Seyburn and Van Dyke Ave.

CPC staff showed photos of the subject and surrounding area, including depiction of the garages fronting onto the alley first north of Jefferson Ave. and the condition of the alley.

Commissioner Wendler inquired as to whether a traffic study was completed. Alicia Diaz, real estate developer, and consultant to the petitioner, responded negatively noting that a traffic study was not requested. She indicated that the Traffic Engineering Division did take into account traffic flows in the immediate area prior to the approval of the closure of Sheridan Ave.

Commissioner Wendler inquired as to the amount of traffic that would normally be generated by employees/clients to a 68,000 square foot medical office. Ms. Bruhn believed that general parking studies regarding traffic projections have been done. CPC staff would investigate.

Commissioner Simon requested further explanation regarding the access to the alley first north of E. Jefferson.

Ms. Diaz highlighted development plans by the entire St. John Hospital network. Within the past five years, St. John Hospital has invested \$200 million in medical care improvements in the City of Detroit. The \$12 million development proposed for Riverview Hospital is rare in that it represents commitments from suburban medical practice groups to provide health care assistance in Detroit. The dedication of St. John Hospital as well as the depth and scope of the proposed project will assist in improved and increased outpatient care and meet the needs of the community. The design of the development will complement the adjacent historic neighborhood.

Ms. Diaz noted that the Hospital is aware of the concerns of the community. Overall, the community is supportive of the project. She agreed that the closure of Sheridan would have an impact on traffic. The Traffic Engineering Division approved the closing of Sheridan from E. Lafayette to Congress in November 2004. She noted their conclusion in diverting traffic off streets that are blighted.

Ms. Diaz cited meetings with the community and CPC staff and a future meeting with DPW to resolve problems regarding usage of the alley north of E. Jefferson. She noted that usage

predates the proposed project. Two-thirds of the alley is in poor repair. The remaining one-third from Seyburn to Van Dyke is in good condition because of Hospital maintenance.

Ms. Diaz noted a meeting with the Traffic Engineering Division on February 7 to discuss traffic issues.

Ms. Diaz noted two options to the closure. At the suggestion of DPW, the Hospital is recommending a temporary closure, which would assist in the reduction of traffic, but continue to provide for vehicular traffic into hospital parking.

Individuals with garages fronting onto the alley would still have full and total access to the alley. A crash gate would be installed to prevent through travel. The Hospital did not support the addition of curb cuts.

Upon questioning, Ms. Diaz responded that the Hospital is looking at making the two-way alley one way and closing access to the parking deck via the alley.

Upon questioning, Ms. Alcock noted that CPC staff is reviewing all options. CPC staff will be attending the February 7 meeting with Traffic Engineering.

Anthony Monroe, President of St. John Riverview Hospital, noted the Hospital's reputation as the premier community hospital. St. John is in the country's top 40 for providing care to the senior citizen population. The proposed project will provide expanded cardiology and medical rehabilitation services.

Upon questioning, Mr. Monroe noted that he could not speak to the history of hospital closing in Detroit. However, he emphasized the Hospital's commitment to provide the highest level of medical services to the residents of the City of Detroit.

Commissioner Glaser expressed concern about the impact of traffic on the surrounding community.

Commissioner Glaser inquired as to the status of providing the pocket park. Ms. Diaz cited extensive discussion regarding the scope of the pocket park. An agreement of understanding of responsibilities is currently under development. Details regarding time line for development and the process for transfer of land and ownership are being worked out.

Commissioner Wendler inquired as to the status of properties at Sheridan and Lafayette, one of which has been turned into a drug house. Kathy Heron of St. John Hospital noted the location of properties acquired from the City in the summer 2004. The buildings were vacated except for one, which housed a tenant recovering from medical surgery. The building has since been secured. The hospital applied for demolition permits only after it was sure that the hospital expansion project was moving forward. The hospital is awaiting the demolition permit. It hopes to begin demolition by next week.

Norman Trotter of the Planning and Development Department (P&DD) expressed support for the project. The land sale and street vacations to facilitate the project were approved in November 2004.

The following persons spoke at the public hearing.

John Slater, 1057 Parker, President of the West Village Association (WVA), noted that the Association supports the expansion. A letter of support dated February 3, 2005 was included in the CPC table packet. The WVA believed that the project would benefit the community. The Association has worked very diligently with representatives of the Hospital and CPC to resolve issues that may encroach on the area's historic neighborhood community from both the proposed expansion and the previous emergency room expansion. The resolved issues include standards of maintenance for areas on the perimeter of the hospital grounds for landscaping and snow removal; the development of a greenspace passive pocket park on property that is a vacated alley adjacent to the emergency room parking lot; working with an adjacent absentee landowner within the hospital development to assure maintenance of the property; working together in reporting parking or noise issues; coordinating security patrols between hospital security services, the neighborhood Dusing Security and the historic area's CB patrol; and continuing to keep open lines of communication and establish regular meetings between both entities. A representative of St. John Riverview is a member of the WVA board. Three issues not yet resolved are the closure and repair of the alley between E. Jefferson, Van Dyke Place, Van Dyke Ave. and vacated Seyburn; diminishing the effect of additional traffic on the neighborhood; and the impact of the closure of Sheridan Ave. for the parking lot expansion. As to the alley, the Association is working with St. John, CPC staff and the DPW to come to some solution, which might even include a new curb cut to E. Jefferson from the Jack Ryan Professional Building parking lot, or a temporary closure in the middle of the alley. The Association questioned why it did not have any input on the closure of Sheridan Ave. WVA recommended that a curb cut be made on the center island of E. Jefferson at Field for additional traffic access to the neighborhood other than steering traffic to already congested Grand Blvd. or Van Dyke. The Association is working with the hospital and CPC staff to help ameliorate any detrimental effects especially on E. Lafayette, Seyburn, Van Dyke and Van Dyke Place, which are already overburdened, and very narrow residential streets. The Association suggested revisiting the Joint Island View, West Village and Indian Village Traffic Study recommendations, and the Detroit Eastside Community Collaborative Detroit Eastside Community Traffic Circulation Study for Fellowship, Islandview Village and West Village for solutions.

Mark Reynolds, 971 Burns, President of the Indian Village Men's Garden Club, expressed support for the project but opposition to the closing of Sheridan. He questioned the intent of the closure. He noted that all planning documents show Seyburn as being open. The arrangement of Field will block access to the neighborhood immediately north. He challenged the recommendations of Traffic Engineering. Most of the traffic dumps onto Van Dyke, which is essentially a one-way street. Mr. Reynolds noted other alternatives, such as the construction of a parking deck or garage. A traffic plan needs to be developed before Sheridan Ave. is closed.

Richard Steinberg, 1724 Ford Building, who has lived in the neighborhood since 1977, expressed concern. He cited the need to "build up" instead of "out," suggesting the construction of a parking structure. A traffic and transportation engineering study needed to be completed. The study should include and consider traffic volumes and traffic characteristics, such as the routes and number of DDOT and school buses, and ambulances.

The Sheridan seniors apartments will be affected. Increased transient traffic in the neighborhood will increase the crime rate. The neighborhood experienced an increase in crime in the summer. Mr. Steinberg noted a shooting incident in the area of Iroquois and St. Paul. The community needs police protection. The neighborhood does not want to live in a gated community. Upon questioning, Mr. Steinberg felt that the erection of additional traffic stop signs on Lafayette, curb cuts, and changes in bus routes would assist in alleviating traffic on Van Dyke.

Commissioner Jeffrey inquired as to whether the developer has considered building a parking structure. Ms. Diaz noted that construction of a parking deck is cost prohibitive. The medical expansion project would be infeasible. Henry Ford Hospital and St. John Hospital on Moross were able to provide expanded services without the construction of parking structures. The parking structure at St. John on Moross preceded recent medical expansions.

Commissioner Wendler noted that if the hospital were to include an entrance off Jefferson and close its entrance into the parking lot via the alley, the other business owner might close his alley entrance into his parking deck.

Mr. Steinberg felt that the City should obtain something in writing from the Hospital that it cannot build a parking structure.

Douglas McIntosh, 723 Seyburn, expressed concern that the closing of Sheridan would negatively impact the neighborhood. Traffic is already cutting through the neighborhood via Seyburn and Van Dyke Place. He noted that most of the Hospital's parking lot is empty during peak hours. He cited the need for additional landscaping and trees to lessen the impact of the development on the neighborhood. Mr. McIntosh suggested the construction of a parking structure similar to the "one uplift" parking garage constructed at Bon Secours Hospital in Grosse Pointe. Such a structure is less costly than the standard parking structure design and requires less space.

Dr. Cheryl Gibson Fountain, M.D., Chief of Staff at St. John Riverview Hospital, 7733 E. Jefferson, expressed support. The Hospital is moving existing services to the new medical office building as well as expanding outpatient services. The expansion is attracting medical specialists who will aid in providing additional services to the community. Additional parking is needed to service the expansion. A major complaint by both employees and patients is that there isn't enough parking. Data exists showing that the Hospital campus is one of the safest.

Pastor Renzo Lee Fountain, Sr., 1021 Manistique, expressed support. Pastor Fountain cited the need to focus on holistic health care. St. John Riverview provides services not only to the immediate community but also to the metropolitan area. He acknowledged that traffic is a problem and that drivers will also use a short cut if they can.

Carole Everts, 732 Seyburn, noted that vibrations, noise, and truck traffic have negatively impacted the neighborhood. People are driving erratically and too fast in the neighborhood. Ms. Everts observed several close calls for traffic accidents on Seyburn and Lafayette. The project may worsen the situation.

Frank Czapski, 7854 Van Dyke, expressed concern about access to his garage via the alley. Mr. Czapski indicated that he is not able to use his garage due to the amount of hospital staff and patients driving through the alley. The expansion will result in 285 additional cars traveling through the alley. The closure of Sheridan will result in the erection of a six foot high fence which will cut off access from Lafayette to Jefferson. The plan has not been thought out thoroughly. Mr. Czapski expressed support for the project but sought a better way in accommodating the expansion. The Hospital provides excellent care. The expansion will result in additional jobs.

John McCarthy, 7850-7854 Van Dyke Place, expressed concern. The expansion has pitted the neighborhood against the Hospital. The Hospital has not always been a good neighbor. Long outstanding issues such as the creation of a pocket park have suddenly been resolved. Up to this time, hospital representatives were not available to discuss problems. The response by Hospital representatives that the condition of the alley predates the hospital construction only exacerbates current problems. The urgency of resolving issues affecting the neighborhood will dissipate once the project is approved. The project should be completed in conformance with all existing policies of the City of Detroit.

Ms. Diaz responded to some of the concerns raised by the community. The Hospital is working with the Department of Public Works to address issues regarding the alley. Curb cuts are not the solution. The Hospital supports the temporary closing.

Ms. Diaz noted that according to the Zoning Ordinance, parking ratios are determined by the size of the medical office building rather than by the number of employees or patients.

The matter was taken under advisement.

OLD BUS.-

Request of
Eye on
Detroit to
modify PD
and rezone
property
in area of
Telegraph
between
Pembroke
and
W. 7 Mile
Rd. from
R1 to PD
for
retail:

Further consideration was given to the Request of Eye on Detroit to modify the approved plans for an existing PD (Planned Development District) zoning classification and to rezone an R1 (Single-Family Residential District) zoning classification to a PD zoning classification in the area generally located on the west side of Telegraph Road between Pembroke Avenue and West Seven Mile Road to allow for the construction of a retail shopping center.

CPC staff member Chris Gulock noted CPC staff's analysis and recommendation with 24 conditions as delineated in its January 28, 2005 report to the Commission.

CPC staff recommended approval of the requested PD plan modification and rezoning with the 24 conditions, three of which were modified at the request of the petitioner. The modifications pertained to condition number 1a to read that the perimeter screen wall at the south side of the site shall be six feet and the west side of the site shall be designed to be 10 feet tall on the interior side of the parking lot and 6 feet tall on exterior side; to condition number 19 to read that homeowners on the west side of Lenore and the south side of Pembroke immediately adjacent to the project, if desired, will have the exterior siding of their houses cleaned/power washed at the petitioner's expense after demolition is completed; and to condition number 21 to read that the homeowners on the west side of Lenore and the south side of Pembroke immediately adjacent to the project, with health issues (who have a

documented medical history confirmed by a medical doctor), if desired, will be temporarily relocated during project demolition within 200 feet of the center of the right of way adjacent to the homeowner's house at the petitioner's expense.

**ACTION: Commissioner Cason moved to accept the CPC staff modified recommendation.
Commissioner Wendler seconded the motion.
Motion carried.**

Director's
Report:

Ms. Bruhn presented the Director's Report.

CPC staff has received a response from Medina Noor of the Department of Administrative Hearings (DAH) in response to questions raised by Commissioner Glenn on the status of the tickets at 36th District Court. Tickets issued prior to November 30, 2004 fall under Municipal Civil Infractions and will be heard by 36th District Court. Tickets issued since December 1, 2004 are considered blight violations and will be heard by the DAH. According to the Court's records, there are approximately 5,120 cases pending before the Court. These tickets fall into the following categories: Departmental of Environmental Affairs, 775; Police, 39; Health, 1,289; Neighborhood City Halls, 17; and Buildings & Safety Engineering, 3,000. Of these, 2,120 hearings have been scheduled for the period of January 31 through June 30, 2005 for environmental, police, health, and bulk violations. CPC staff was unable to get the breakout of the 3,000 cases scheduled for the B&SE violations pending at 36th District Court. The last hearing date was indicated as June 2005. CPC staff is still attempting to obtain a breakout on the number of tickets pending at the DAH.

Commissioner Glenn noted that the DAH is to begin holding hearings next week.

City Council is having extended discussions on the City's budget deficit for 2003-04 and anticipated shortfalls for 2004-05 and 2005-06. The Mayor has given Council a resolution to reduce administration pay levels by 10% to accommodate a 10% reduction in pay for his appointees and non-union Executive Branch employees, effective March 2005. The Mayor hopes the Council will do the same for its employees. Other actions under consideration include a 20% cut in City Council's 2005-06 budget; a 10% cut in the Divisions' budgets (including CPC); an immediate across-the-board position reduction of 20% in each Division; adjustment of the Council's budget based on anticipated results, including what the Council expects to receive from each Division; and allocation of dollars based on Council priorities.

Council President Pro Tem Kenneth Cockrel, Jr. has asked each of City Council's Divisions to prepare a report for the Council on the impact of a 10% cut. An extensive report is being prepared for City Council.

Commissioner Wendler requested to be notified of the date of City Council's discussion on the CPC's 2005-2006 budget.

The next meeting of the Commission to discuss CDBG/NOF priorities and strategies is scheduled for February 10, 2005 at 12:00 noon in the office of the CPC. Commissioner Glenn requested information regarding the organizations who have applied for home repair in 2005-2006 but did not receive funding last year.

OLD BUS.-

Request of BCBS to modify PD in area of Beaubien, E. Lafayette, I-375, and E. Congress to allow for a new parking deck and renovation of an outdoor plaza:

Further consideration was given to the request of Neumann, Smith & Associates, on behalf of Blue Cross Blue Shield of Michigan (BCBS), for modification of plans in an existing PD (Planned Development District) generally bounded by Beaubien, E. Lafayette, I-375, and E. Congress to allow for a new parking deck and renovation of an outdoor plaza.

CPC staff member Gregory Moots reviewed the proposal, addressed concerns raised at the CPC's January 6, 2006 public hearing on this matter, and subsequent meetings with the developer. Concerns related to the impact of the increased traffic on the area, the need for a parking deck, whether the future parking deck at the southwest corner of the BCBS campus will have retail on the first floor, the appearance of the southern and eastern facades, access into the site and plaza from Congress, and the creation of a "gateway" at the intersection of Congress and I-375.

The development calls for the elimination of a 142 space surface parking lot at the northwest corner of E. Congress St. and I-375 and the construction of a 9-story, 1,825 space parking deck. The existing plaza in the center of the site will be improved, and the existing 1,259 space parking deck at the northeast corner of Beaubien and E. Congress will be removed in the future.

Mr. Moots noted that several elements of the development have been changed as a result of discussions between the petitioner and various parties during and subsequent to the Commission's public hearing.

The Downtown Citizens' District Council (CDC) held a public hearing to review the proposal because a portion of the site is within the boundaries of the Central Business District Project #3 boundaries. Several members of the Holy Family Church, located immediately to the north of the proposed parking deck, spoke at the hearing and raised concerns regarding the scale of the deck (concerned that the church will be "buried" or "dwarfed"), the setback from the church (40 feet from the property line, about 70 feet from the rectory), the possibility of deck construction structurally disturbing the church, he blocking of views of and from the church, light and air to the church courtyard being blocked by the new deck, and aesthetics (the facade looks "stark" and the design hasn't considered the church).

As a result of the concerns, the petitioner has made several revisions to the plans that address all but one of those concerns. As to the scale of the deck, a 4-story high, 60 foot wide brick "arch" is now proposed over and around the entrance on the service drive. This approximately matches the scale of the church and breaks up the long concrete facade. This also partially addresses the church's concerns about aesthetics. The other major aesthetic modification is to the north facade, which is now being proposed as all brick-clad with rectangular punched openings.

Regarding the setback, the current proposal shifts the deck 16 feet to the south, further away from the church. This also helps to address the light and air concerns, as now the height of the deck is only 20 feet greater than the setback from the church, so the sun will reach the church anytime it is higher than roughly 45° above the horizon. The additional space between the deck and church will also contain additional landscaping with relocated mature trees and other plantings.

BCBS indicates that because its data center is located next to the church, it will have to be very careful regarding vibrations during construction. Caissons will be drilled rather than driven in, and construction trucks can be told not to drive on the service drive in front of the church.

As to concerns regarding access to the site and the improved plaza at its center, the sidewalk along vacated St. Antoine is now proposed to be widened to 12 feet and will be decoratively paved. This should serve to draw people into the site.

Regarding the creation of a “gateway” at the intersection of Congress and I-375, the petitioner now plans to plant a cluster of trees and construct a ‘kneewall’ that can be used for seating, as well as use some decorative paving.

The Downtown CDC recommended approval of the revised design at its January 27, 2005 meeting. The revised designs have not yet been presented to the Holy Family Church. CPC staff has spoken with the pastor of Holy Family Church and expressed some support for the revisions. However, the Pastor has not had the chance to formally review the final site plans.

Dr. Susan Potts, 1315 Wellesly, representing the Holy Family Church, noting concerns regarding aesthetics of the parking deck. A letter submitted by the Church indicated that parking structure provide a stark contrast to the church and will obliterate views and harm scenic landscaping. Holy Family has served the community for over 100 years and deserves better consideration.

Commissioners Jeffrey and Christensen expressed concern regarding the size and appearance of the parking structure, particularly as viewed from the I-375 Service Drive. They felt that the 9 story height was too overbearing and would negatively impact Holy Family Church located immediately adjacent to the structure.

Ray Warner of Blue Cross and Blue Shield and Scott Bonney of Neumann reviewed the development plan.

Mr. Warner noted constraints in locating the garage further west and challenges in providing parking for employees. Even with the construction of this deck, BCBS will be short 400 parking spaces. BCBS is now leasing parking space in the Foster Winter garage and using the BCBS parking garage on E. Jefferson to accommodate employees.

Mr. Bonney elaborated on the design noting that the nine story height of the parking deck is a function of the site. He noted that the deck blends in with the fabric of the community as well as the image of the BCBS building. The parking deck is 105 feet in height and located 170 feet from the apse of the church. Columns of the decks have been recessed and painted to address concerns regarding light.

Commissioner Christensen felt that it was shameful that the parking design has been designed to dwarf the church. He felt that the structure should be reduced by three levels.

Commissioner Wendler felt businesses could not be faulted for wanting to provide parking given the lack of public transportation. She noted the construction of three parking

structures on the East Riverfront. She felt that the Commission should pay attention to transportation issues on a monthly basis.

Further discussion ensued on the appearance of the parking deck.

Ms. Bruhn noted that it is better to locate a parking structure on the freeway at the perimeter of the central business district than on Beaubien in the heart of the downtown. The location will prevent 1,000+ cars from traveling into the downtown area. The developer has extensively revised the plans by relocating the structure 16 feet to the south away from the church and including brick treatment.

Mr. Warner noted that \$800,000 is being added to the \$36 million project to accommodate revisions to the design.

CPC staff recommended that the requested plan modification as revised be approved, with the condition that final site plans, landscaping, and elevations be approved by staff prior to the issuance of building permits.

**ACTION: Commissioner Cason moved to accept the CPC staff recommendation.
Commissioner Wendler seconded the motion.**

**VOTE: Yeas: Commissioners Cason, Glaser and Wendler
Nays: Commissioners Christensen and Jeffrey**

**Abstention: Commissioner Glenn
Motion carried.**

Adj.: The meeting was adjourned at 9:00 PM.